

**STATE OF CONNECTICUT  
DEPARTMENT OF CONSUMER PROTECTION  
CONNECTICUT REAL ESTATE COMMISSION  
Minutes of Meeting  
October 7, 2015**

The Connecticut Real Estate Commission convened on Wednesday, October 7, 2015 at 9:22 a.m. in Room-126 of the State Office Building, 165 Capitol Avenue, Hartford, CT 06106.

Commissioners Present: Joseph B. Castonguay, Acting Chairman (Broker – 2<sup>nd</sup> District)  
Lana K. Ogrodnik (Broker – 5<sup>th</sup> District)  
Amy Bergquist (Broker – 1<sup>st</sup> District)  
Linda C. Burnham (Salesperson – 2<sup>nd</sup> District)  
Morag L. Vance (Public Member – 4<sup>th</sup> District)  
Theodore F. Ells, Esq. (Public Member- 3<sup>rd</sup> District)

Commissioners Absent: Joseph H. Kronen (Public Member – 1<sup>st</sup> District)

Commission Vacancy: Salesperson (1)

Attorney General's Office: None

DCP Staff Present: Michele Erling William Zenga  
Vicky Bullock Richard Maloney  
Kelly Harvey  
Robin Washbond

Public Present: Leslie Hammond Donald Kennedy  
Cindy Butts Robert Ennis  
Cheryl Hilton Jonny Gonzales  
Maria Cuerda  
John Morgan

## **MINUTES OF PREVIOUS MEETINGS**

It was moved by Commissioner Vance, Commissioner Ogradnik 2<sup>nd</sup>, and the motion carried unanimously to approve the minutes of the August 5, 2015 Connecticut Real Estate Commission meeting as amended.

## **COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY**

- Director Richard Maloney commented on Public Act 15-98, 'An Act Concerning Licensure Requirements for Real Estate Brokers' which becomes effective July 1, 2016 and specifically addressed the educational requirement of two 15-hour elective courses. Director Maloney stated that the Department is requesting that the currently required, mandatory 30-hour Appraisal course be equivalent to the two 15-hour elective courses.

It was moved by Commissioner Vance, Commissioner Ogradnik 2<sup>nd</sup>, and the motion carried unanimously to accept the currently required, mandatory 30-hour appraisal course as equivalency for two 15-hour elective courses.

- Real Estate Examiner Kelly Harvey commented that there are several requests from licensees asking that two 30-hour courses be equivalent to the required 60-hour Real Estate Principles and Practices. Ms. Harvey noted that in the past the Commission acted favorable for current licensees, and that requests from non-licensees were denied. Examiner Harvey requested that the Commission issue a blanket statement that any request for a waiver or equivalency education pertinent to Real Estate Principles and Practices for any applicant who is not currently a CT real estate licensee should be denied by the Department and not brought before the Real Estate Commission.

It was moved by Commissioner Ogradnik, Commissioner Vance 2<sup>nd</sup>, and the motion carried unanimously to continue discussion on this matter at the December 2, 2015 meeting.

It was moved by Commissioner Vance, Commissioner Ells 2<sup>nd</sup>, and the motion carried unanimously to move the agenda items: *Real Estate Guaranty Fund Application, Old Business and New Business* ahead of the *Formal Hearing*.

## **REAL ESTATE GUARANTY FUND APPLICATION**

### **Case #2013-341- Mahogany Hubert vs Paul Johnson**

It was moved by Commissioner Vance, Commissioner Ogradnik 2<sup>nd</sup>, and the motion carried unanimously to approve the Guaranty Fund application of Mahogany Hubert and authorize payment to her in the amount of \$4,108.02.

## **OLD BUSINESS**

### **Fair Housing Mandatory Course**

Cheryl Hilton (Calcagni Real Estate), Leslie Hammond (Hammond Realty) and Maria Cuerda (CT Fair Housing Center) appeared before the Commission to answer questions and continue the discussion from the August meeting concerning their request to include 'Fair Housing' as a mandatory 3-hour continuing education course for all Connecticut real estate agents.

It was moved by Commissioner Ells, Commissioner Ogrodnik 2<sup>nd</sup>, and the motion carried unanimously to approve a mandatory 3-hour Fair Housing continuing education course and that the Fair Housing Center will submit the course materials to the Department for review by November 15, 2015.

## **NEW BUSINESS**

### **Clarification regarding the requirement for specific start and end dates for pre-licensing courses. No continuous schedule allowed.**

The Department removed this item from the agenda.

## **FORMAL HEARING**

### **Robert Ennis d/b/a Ennis Property Management (Community Association Manager, CAM)**

It was moved by Commissioner Ells, Commissioner Bergquist 2<sup>nd</sup>, and the motion carried unanimously that based on the findings of the Commission, the Ennis Property Management Inc., failed to obtain the necessary approval from Silversmith Commons Condominium Association to enter into a contract with Branford Roofing Company and that the two checks that were issued by Branford Roofing Company to Robert Ennis in the amount of \$2,071.24 and \$4,094.19 were not properly credited to the Silversmith Commons Condominium Association, in violation of Chapter 400b of the Connecticut General Statutes, Section 20-459 (c) and Section 20-458 and Section 20-456 (1), (3) and (7).

It was moved by Commissioner Ells, Commissioner Burnham 2<sup>nd</sup>, and the motion carried unanimously that based on the findings of the Commission, the Community Association Manager registration of Mr. Robert Ennis shall be revoked effective immediately for a period of one year.

## **COMMENTS OR CONCERNS OF ANY PERSON PRESENT TODAY**

- Director Richard Maloney informed the Commission of an issue concerning defective concrete foundations and stated that as of this date, 65 homeowners have reported the deterioration of certain concrete foundations, which appear to be limited to some homes in eastern Connecticut. The Department of Consumer Protection and the Office of the Attorney General are investigating the matter and among other things, this investigation will attempt to determine what is causing the problem and what, if anything can be done to alleviate the current situation and prevent future problems.

- Commissioner Ells expressed his concern over the dual agency laws and the conflict of interest situation that arises being a dual agent. He asked the Department to consider this matter and to add this issue to the agenda at a future meeting. Director Maloney stated that this matter will be placed on the December agenda for further discussion.

## **ADJOURNMENT**

It was moved by Commissioner Ogradnik, Commissioner Vance 2<sup>nd</sup>, and the motion carried unanimously to adjourn the meeting at 12:10 p.m.

Respectfully Submitted,

Robin Washbond  
Commission Secretary

Note: The administrative functions of the Boards, Commissions and Councils are carried out by the Department of Consumer Protection, Occupational and Professional Licensing Division. For information contact Richard M. Hurlburt, Director at (860) 713-6135 or Fax: (860) 713-7230.

Department of Consumer Protection Website: [www.ct.gov/dcp](http://www.ct.gov/dcp)  
Division E-Mail: [DCP.OccupationalProfessional@ct.gov](mailto:DCP.OccupationalProfessional@ct.gov)

The next meeting of this Commission is scheduled for Wednesday, December 2, 2015 at 9:15 am in Rm-126